UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF WISCONSIN

U.S. DISTRICT COURT
EASTERN DISTRICT-WI
GREEN BAY DIV.

UNITED STATES OF AMERICA

'09 AUG 10 P1 :16

V.

CRIMINAL COMPLAINT

JON W. SANFILIPPO
CLERK

JASON M. LUDKE,
(d.o.b. 11/29/80)

CASE NUMBER: **09-M-** 631

I, Patrick C. Lynch, the undersigned complainant, being duly sworn, state the following is true and correct to the best of my knowledge and belief: **(Count One)** that on or about July 13, 2009, in the State and Eastern District of Wisconsin, Jason M. Ludke knowingly caused to be delivered by the U.S. Postal Service according to the direction thereon, a written communication, postmarked July 13, 2009, addressed to Judge Griesbach, United States District Court, Eastern District of Wisconsin, at Green Bay, Wisconsin, and containing a threat to injure the person of Judge Griesbach, all in violation of 18 U.S.C. § 876(c);

(Count Two) that on or about July 13, 2009, in the State and Eastern District of Wisconsin, Jason M. Ludke knowingly caused to be delivered by the U.S. Postal Service according to the direction thereon, a written communication, postmarked July 13, 2009, addressed to Judge Griesbach, United States District Court, Eastern District of Wisconsin, at Green Bay, Wisconsin, and containing a threat to injure the person of Judge Griesbach, all in violation of 18 U.S.C. § 876(c);

(Count Three) that on or about July 16, 2009, in the State and Eastern District of Wisconsin, Jason M. Ludke knowingly caused to be delivered by the U.S. Postal Service according to the direction thereon, a written communication, postmarked July 16, 2009, addressed to Judge Griesbach, United States District Court, Eastern District of Wisconsin, at Green Bay, Wisconsin, and containing a threat to injure the person of Judge Griesbach, all in violation of 18 U.S.C. § 876(c);

(Count Four) that on or about July 21, 2009, in the State and Eastern District of Wisconsin, Jason M. Ludke knowingly caused to be delivered by the U.S. Postal Service according to the direction thereon, a written communication, postmarked July 21, 2009, addressed to Judge Griesbach, United States District Court, Eastern District of Wisconsin, at Green Bay, Wisconsin, and containing a threat to injure the person of Judge Griesbach, all in violation of 18 U.S.C. § 876(c)

I further state that I am a Special Agent with the Federal Bureau of Investigation, and this complaint is based on the following facts:

Please see the attached affidavit.

Continued on the attached sheet and made a part hereof: X Yes / No

Patrick C. Lynch

Signature of Complainant
PATRICK C. LYNCH

Sworn to before me and subscribed in my presence,

8-10-09
Date

at Green Bay, Wisconsin
City and State

The Honorable James R. Sickel
United States Magistrate Judge
Name & Title of Judicial Officer

Signature of Judicial Officer

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT & ARREST WARRANT

Patrick C. Lynch, being first duly sworn, states that:

Background

1. I am a Special Agent (SA) with the Federal Bureau of Investigation (FBI). I have been an agent for twenty-two years. As part of my duties, I investigate violations of federal laws including offenses involving the mailing of threatening communications to others. I am aware that 18 U.S.C. § 876 prohibits an individual from knowingly causing a written communication to be delivered by the U.S. Postal Service that contains a threat to injure another.

Basis for Information in Affidavit

2. The information contained in this affidavit is based upon my personal knowledge and investigation, and information supplied to me by other law enforcement officers from FBI, the U.S. Marshal's Service, and the Brown County Sheriff's Department all of whom I believe to be truthful and reliable. Based on my investigation and the information supplied to me by other law enforcement personnel, I have probable cause to believe the following regarding Jason M. Ludke d.o.b. 11/29/80.

Facts Establishing Probable Cause

3. I am familiar with Jason M. Ludke and know that he currently resides at the Brown County Jail, located at 3030 Curry Lane, Green Bay, state and Eastern District of WI. Ludke is serving a state sentence and is due to be released on that case in approximately March 2010. I am familiar with Ludke because in June 2009 I interviewed him at the Brown County Jail. During that interview, Ludke advised me that he was going to renounce his United States citizenship, convert to Muslim, and become a Shi'a and join a Hizballah group in Qom. Ludke advised that prior to being arrested, he was trying to buy guns and explosives in order to rob a

bank– the proceeds of which he would use to establish a Muslim community to target the United States government.

4. In July 2009, the U.S. Marshal's service provided me with three stamped envelopes and letters that I believe Ludke sent addressed either to "Judge Griesbach" or "U.S. District Judge Griesbach" A clerk at the federal Clerk of Court– Eastern District of Wisconsin– Green Bay Division provided me with a fourth stamped envelope and accompanying letter also addressed to Judge Griesbach. I know that Judge William C. Griesbach is a federal District Court Judge presiding over matters heard in the Green Bay division of the Eastern District of Wisconsin. Those letters contain threats to kill Judge Griesbach, his family, and court staff. I am aware that inmates at the Brown County Jail, like Ludke, cause mail to be sent from that facility by placing a stamped envelope in a general mail box located in the cell block. A correctional officer then places the mail from the mail box with other outgoing mail that is then delivered by the U. S. Postal Service.

5. More specifically, I have received an envelope (containing one letter) postmarked July 13, 2009 and addressed as follows: Attn: Judge Griesbach, United States District Court, Eastern District of Wisconsin, 125 S. Jefferson, P.O. Box 22490, Green Bay, WI 54305-2490. The return address noted is (Jason Ludke) Brown County Jail, 3030 Curry Lane, Green Bay, WI 54311. The letter contained within that envelope is signed by Imam Muhammad Abdun Naasir al-Hanafi (aka: Jason Michael Ludke) and provides as follows: "Give up your post of kufr rule and be under Islamic treaty, or I swear by Allahu ta 'ala that I will personally kill you and your regime infidel staff, and bomb your courthouse."

6. I have also reviewed a second envelope and letter caused to be mailed by Ludke. That

envelope again is addressed to Judge Griesbach at the Green Bay federal court address, postmarked July 13, 2009, and contains a return address of Jason Ludke, Brown County Jail, Green Bay, WI. The letter contained within the envelope provides, in part, as follows: "I declare jihad (war) upon you judge and your infidel regime! I will assuredly kill you infidel and all ye kaafiroon that support your kufr reign!" It further provides: "If you cease your rule of satanic law we may have treaty, and you, your family, and your minions will not be killed for the sake of Allahu Ta'ala! If you refuse, your death will be slow and painful." Again, the letter was signed by Jason Ludke.

7. I am aware that both of these letters were received by the United States District Court–Eastern District of Wisconsin, Green Bay Division. It was opened by a representative of the clerk's office who read the letters and reported being "shaken" from the content. The representative then turned the letters over to Deputy Marshal Pat Amerson who then turned the letters over to me.

8. The third envelope (and accompanied letter), postmarked July 16, 2009 was addressed similar to the others, that is, to Judge Griesbach, United States Courthouse, Green Bay, WI with a return address of Jason Ludke, Brown County Jail. The letter provided in part that "if you now do not pay me the necessary islamic Jizyah fee $ for your transgressions, I give testimony (wallahi) that I am gonna hunt you down and kill you slowly and painfully Judge Griesbach, for the wrongs you've committed!" Further it stated "This letter is to inform you Judge Griesbach that you have one last chance to mail me the financial islamic Jizyah fee $ or this is my death verdict upon you and your kuffar regime! I assure you, by Allah! I will hunt you down and kill you, your family, and all of your infidel staff! I will strike fear through your regime as I blow up

your kufr courthouse.." The letter is signed by Jason Ludke.

9. I am aware that this letter was received by the federal Clerk of Courts office– Eastern District of Wisconsin– Green Bay division. The letter was immediately turned over to Deputy Marshal Amerson who then turned it over to me.

10. I have also reviewed a fourth envelope and letter that is postmarked July 21, 2009 and is again addressed to Judge Griesbach, United States Courthouse, Green Bay, Wisconsin from Jason Ludke, Brown County Jail. The letter contained within the envelope provides

> Allow me to willfully leave to Istanbul, Turkey or I will have no choice but to hunt you down and kill you and your staff! If you do not have me immediately transferred out of this facility or released, I will be contacting my brothers of the islamic al-shabab and there will be blood on your hands and your kuffar government due to random acts of violence in response to your unresponsiveness. Imagine federal courthouses filled with infidel americans being victim to liquefied forms of Semtex bonded to a paper much with nitrous pellets from fertilizer surrounded by C-4 with ball bearings for added destruction!....this is not an idle threat U.S. Judge Griesbach!" "If you do not pay heed to my call and bargain, bear witness that I will do everything in my power to kill you Judge Griesbach and your kuffar regime!

The letter is signed Jason M. Ludke and was received by the federal Clerk of Courts–Green Bay division. A representative of the clerk's office turned that letter over to me.

11. I am aware that on August 6, 2009, Brown County jail personnel searched the cell of Jason Ludke. Correctional officers recovered other letters addressed to several federal judges

and signed by Jason Ludke that contain similar threats to those noted above.

12. Based upon the foregoing information and that from other confidential sources, I believe there is probable cause to believe that Jason M. Ludke knowingly caused to be mailed, written communications threatening injury to another in violation of 18 U.S.C. § 876(c).

13. Because this affidavit is offered for the limited purpose of supporting the criminal complaint and arrest warrant for Jason M. Ludke, I have not set forth every fact known to me regarding this incident. Rather, I have included only those facts which I believe establish probable cause.